

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 153 – SB 509**

March 3, 2015

**SUMMARY OF ORIGINAL BILL:** Creates a new Class C misdemeanor for using an unmanned aircraft to capture an image of an individual or event at an open-air event venue wherein more than 100 individuals could gather for an event without the consent of a venue owner or venue operator.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (003829):** Clarifies that the offender must intentionally capture the images.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The bill creates a new Class C misdemeanor for using an unmanned aircraft (“drone”) to capture an image of an individual or event at an open-air event venue wherein more than 100 individuals could gather for an event without the consent of a venue owner or venue operator.
- It is defense to prosecution that the person never distributed, disclosed, or displayed the images to a third party. Thus, capturing images with a drone of an individual or event with more than 100 attendees is not illegal if the person capturing the images keeps them to himself/herself.
- A person convicted of a Class C misdemeanor can serve no more than 30 days nor pay more than a \$50 fine unless specifically prescribed by law.
- It is assumed the average offender will not serve any time in jail for committing the new offense.
- The bill will not create a significant number of misdemeanor cases.
- The bill will not significantly impact the caseloads of the Administrative Office of the Courts, the District Attorneys General Conference, or the District Public Defenders Conference.

**CERTIFICATION:**

**HB 153 – SB 509**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

/trm